

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:** §  
§  
**FIRED UP, INC.** § **CASE NO. 14-10447**  
§ **(Chapter 11)**  
**DEBTOR<sup>1</sup>** §  
§

**ORDER GRANTING DEBTOR'S EMERGENCY [FIRST] MOTION TO  
REJECT UNEXPIRED LEASES ON NON-RESIDENTIAL REAL PROPERTY  
PURSUANT TO 11 U.S.C. § 365 NUNC PRO TUNC TO THE PETITION DATE**

The Court has considered the Debtor's Emergency [First] Motion to Reject Unexpired Leases of Non-Residential Real Property Pursuant to 11 U.S.C. § 365 *Nunc Pro Tunc* to the Petition Date (the "Motion"). The Court finds that notice of the Motion is sufficient under the circumstances and that good cause exists for the requested relief to be granted. Accordingly, it is therefore:

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<sup>1</sup> Until February 26, 2014, Debtor's business was being operated partially by the Debtor and partially by its two wholly owned subsidiaries, Kona Restaurant Group, Inc. and Carino's Italian Kitchen, Inc.. Those entities were merged into the Debtor on that date.

**ORDERED** that the Motion is GRANTED as describe herein; and it is further  
**ORDERED** that pursuant to 11 U.S.C. § 365, the rejection of the Real Property Leases  
identified on Exhibit A hereto is hereby approved, effective as of the Petition Date; and it is  
further.

**ORDERED** that any claim by the non-Debtor parties arising from the rejection of any  
Real Property Leases other than those that have been formally terminated pre-petition shall be  
deemed to constitute a prepetition claim against the Debtor pursuant to 11 U.S.C. § 365; and it is  
further

**ORDERED** that any claims for rejection of the unexpired leases set forth herein shall be  
filed by the general bar date in this case; and it is further

**ORDERED** that the Debtor shall promptly serve a copy of this Order on all  
counterparties of the Real Property Leases; and it is further

**ORDERED** that the Court hereby retains jurisdiction to hear and determine all matters  
arising from or related to the implementation, interpretation and/or enforcement of this Order.

All relief not expressly granted in this order is denied.

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